

MINUTE ITEM
This Calendar Item No. C59
was approved as Minute Item
No. 59 by the State Lands
Commission by a vote of 3
to 0 at its 2-5-01
meeting.

CALENDAR ITEM
C59

A 4
S 1

02/05/01
PRC 3755.1
B. Young

**TERMINATION OF RECREATIONAL PIER LEASE AND
ISSUANCE OF GENERAL LEASE - RECREATIONAL USE**

LESSEE:

Omeah Limited Partnership
P. O. Box 9180
Incline Village, NV 89452-9180

AREA, LAND TYPE, AND LOCATION:

0.12 acres, more or less, of Sovereign lands in Lake Tahoe, near Cedar Flat,
Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier, boathouse, boat lift, and
retention of two existing mooring buoys as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning August 10, 1998.

CONSIDERATION:

\$785 per year; with the State reserving the right to fix a different rent periodically
during the lease term, as provided in the lease.

SPECIFIC LEASE PROVISIONS:

Insurance:

Combined single limit coverage of \$500,000.

Other:

This lease is conditioned on Lessee obtaining authorization from the
Tahoe Regional Planning Agency (TRPA) for the mooring buoys within
two years after the adoption of the Lake Tahoe Shorezone Amendments-
Draft Environmental Impact Statement (EIS) and approval of the
ordinances based on the EIS.

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OTHER PERTINENT INFORMATION:

1. On July 11, 1997, the Commission authorized a Recreational Pier Lease to Emma Devita. That lease will expire on May 13, 2007. On August 10, 1998, Emma Devita deeded the littoral land to Omeah Limited Partnership. The Applicant does not qualify for a rent-free Recreational Pier Lease because the title is being held under Omeah Limited Partnership. Omeah Limited Partnership is now applying for a new General Lease - Recreational Use. This Calendar Item will terminate a Recreational Pier Lease that was issued to Emma Devita for a pier, boathouse and boat hoist and issue a new General Lease - Recreational Use to Omeah Limited Partnership for a pier, boathouse, boat lift and the retention of two existing mooring buoys, effective August 10, 1998.
2. **Termination of existing lease:** Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA because the activity is not a "project" as defined by the CEQA and the State CEQA Guidelines.

Authority: Public Resources Code section 21065 and Title 14, California Code of Regulations, section 15378.

3. **Issuance of new lease (pier, boathouse, and boatlift):** Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; Title 2, California Code of Regulations, section 2905 (a)(2).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

Buoys: Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 3, New Construction of Small Structures; Title 2, California Code of Regulations, section 2905 (c)(3).

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Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

FURTHER APPROVALS REQUIRED:

Buoys: Tahoe Regional Planning Agency

EXHIBIT:

- A. Location and site map

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

TERMINATION OF EXISTING LEASE: FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15378.

ISSUANCE OF NEW LEASE (PIER, BOATHOUSE, AND BOAT LIFT): FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

BUOYS: FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A

CALENDAR ITEM NO. C59 (CONT'D)

CATEGORICALLY EXEMPT PROJECT, CLASS 3, NEW
CONSTRUCTION OF SMALL STRUCTURES; TITLE 2, CALIFORNIA
CODE OF REGULATIONS, SECTION 2905 (c)(3).

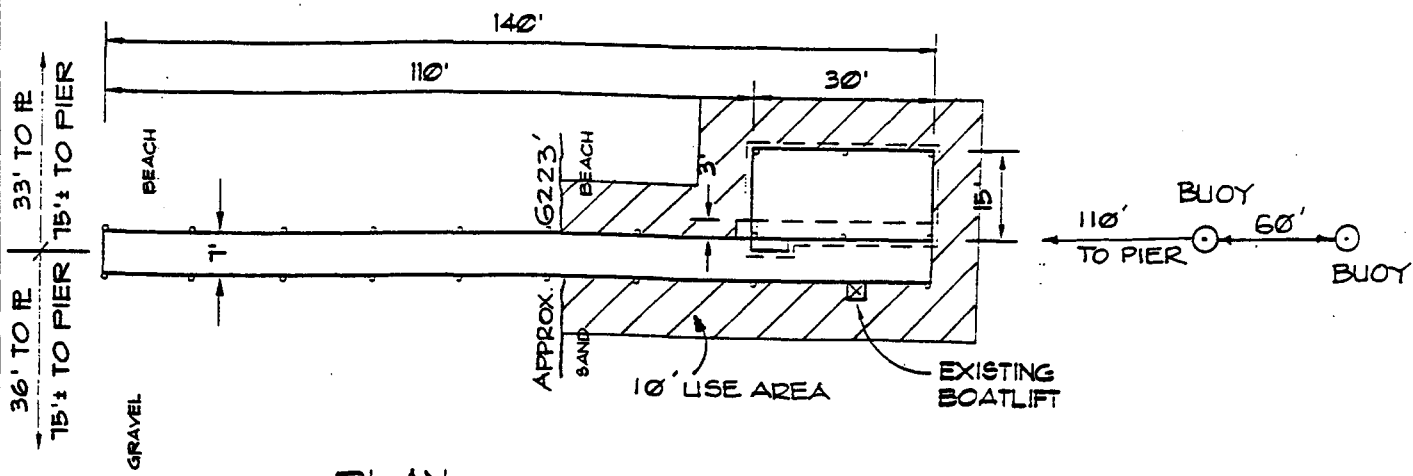
SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE
CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE
LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370,
ET SEQ.

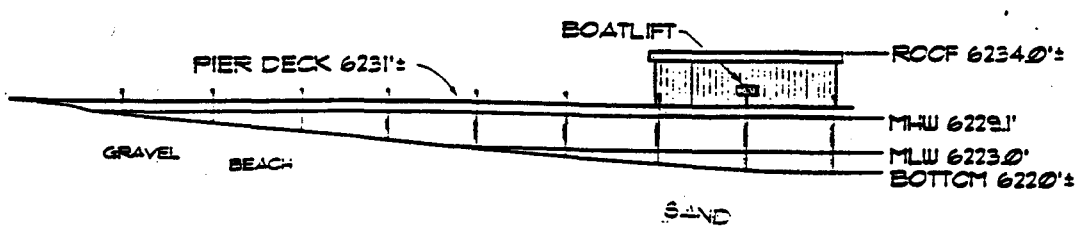
AUTHORIZATION:

AUTHORIZE TERMINATION OF RECREATIONAL PIER LEASE NO.
PRC 3755.9, EFFECTIVE MAY 14, 1997, ISSUED TO EMMA DEVITA
AND APPROVED BY THE COMMISSION ON JULY 11, 1997.

AUTHORIZE ISSUANCE TO OMEAH LIMITED PARTNERSHIP OF A
GENERAL LEASE - RECREATIONAL USE, PRC 3755.9, BEGINNING
AUGUST 10, 1998, FOR A TERM OF TEN YEARS, FOR CONTINUED
USE AND MAINTENANCE OF AN EXISTING PIER, BOATHOUSE,
BOAT LIFT AND RETENTION OF TWO EXISTING MOORING BUOYS
AS INDICATED ON THE LAND SHOWN ON EXHIBIT A ATTACHED
AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT
IN THE AMOUNT OF \$785 WITH THE STATE RESERVING THE RIGHT
TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE
TERM, AS PROVIDED IN THE LEASE; LIABILITY INSURANCE FOR
COMBINED SINGLE LIMIT COVERAGE OF \$500,000.



PLAN

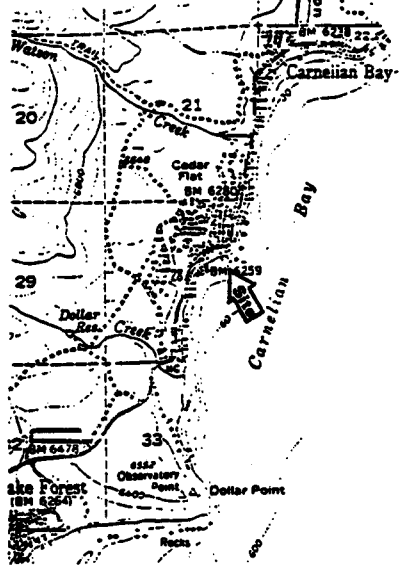


PROFILE

LAKE TAHOE

4160 Ferguson Avenue

LOCATION MAP



LAKE TAHOE

EXHIBIT A
PRC 3755.1
APN 092-200-14
Lake Tahoe
Placer County



NO SCALE

This Exhibit is solely for purposes of generally defining the lease premises, and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

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 MINUTE PAGE **000346**